

# **ELECTION PROCEDURES FOR ELECTED TRUSTEES**

A.C.A. § 24-7-302

---

## **ADVERTISEMENT OF VACANCY**

During the month of November prior to the year in which a trustee is to be elected, a notice of such election shall be submitted to the Arkansas Association of Educational Administrators (AAEA), the Arkansas Education Association (AEA), the Arkansas State Employees Association (ASEA), the Arkansas Retired Teachers Association (ARTA), and the ATRS website. The System shall also publish a Public Notice in the Arkansas Democrat-Gazette, which will run for at least five (5) days. This announcement shall include the trustee position number and description of the position for which the election is to be held, a listing of counties if election is for a congressional district, voter qualifications/eligibility to vote, the procedure for nominating a candidate, and an announcement indicating that nominating petitions can be obtained from the Teacher Retirement System.

## **NOMINATIONS**

1. Nomination for election shall be upon petition signed by not less than twenty-five (25) voters eligible to vote in the specified election. The petition must include the last four digits of the Social Security number of the nominee and each signer in order for the Retirement System to verify the petition. Nominating petitions and a candidate information form must be filed with the Executive Director of the Teacher Retirement System not later than January 31 of the year in which the member's or retirant trustee's term expires.
2. Should only one qualified candidate file a timely and verified petition, that person shall be declared by the Board of Trustees as elected to fill the vacant trustee position.

## **BALLOTS**

1. The Board of Trustees shall employ an independent contractor to conduct all or part of the election process. ATRS will provide the contractor with compatible media containing the addresses of eligible voters and any other materials required to conduct the scope of the election process for which the contractor has been employed.
2. The order of candidates listed on the ballot(s) will be determined by a drawing from the petitions received by the Retirement System. The drawing will be

conducted by representatives of the Retirement System's staff and witnessed by a representative of the group(s) from which a trustee will be elected, i.e., administrator, certified, noncertified, minority, or retiree. A letter to document and verify the drawing will be signed by all in attendance.

3. Ballots will be mailed directly to the homes of eligible voters in accordance with the ATRS policies governing the schedule for active and retirant trustee elections.
4. The date the ballot is to be mailed, the word, "Ballot," and the deadline for receipt of the ballot will be printed on the ballot, along with a brief statement from each candidate. The ballot shall be returned to the contractor. Instructions on the ballots will inform voters that the ballots are not to be copied nor returned to the Retirement System office, which would render them invalid.
5. Neither the voters' addresses nor Social Security numbers will be requested, and no space will be provided for them on the ballot.
6. The System's return address will be printed on the ballots in order for undeliverable pieces to be returned for correction of the System's records.
7. In the event the post office provides corrected addresses for undeliverable ballots, ATRS will correct its records and then remail the ballot to the voter. However, should the undeliverable ballot be received by the System less than (5) days prior to the deadline for returning ballots, the System will correct its records and will not remail the ballot to the voter.
8. The independent contractor will be instructed that ballots will be mailed no earlier, nor later, than the scheduled date ballots are to be mailed. If one of the scheduled dates is on a weekend or holiday, ballots will be mailed on the next regular work day following such weekend or holiday.
9. Should it be determined by the Board of Trustees or its agent that the independent contractor has mailed ballots earlier or later than the contracted date, ATRS will assess the contractor a penalty of not less than five thousand dollars (\$5,000.00) in each instance and for each election the ballots are mailed early or late.
10. The System has final approval of the ballot and accompanying instructions.

## **CAMPAIGN MATERIALS**

1. One (1) set of mailing labels of eligible voters and their addresses will be made available to each candidate upon request.

2. The mailing labels will be printed by the election contractor from eligible voter data provided by the System.
3. Campaign materials sent to voters will be mailed by the election contractor from its place of business. All postage incurred for mailing such materials shall be the responsibility of the candidate requesting the labels. The System shall review and preapprove campaign materials prior to submission to the election contractor for mailing.

**Approved:** May 10, 2000

**Amended:** February 11, 2008